

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111
Attorney Docket No.: Q96659
Application No.: 10/590,279

REMARKS

Claims 1-10 are all the claims pending in the application. Claims 2, 3 and 6-8 are withdrawn from consideration as being drawn to a non-elected invention. Claims 1, 4 and 5 presently stand rejected.

Claims 1 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sun et al. (US 2001/0016229).

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sun et al. (US 2001/0016229) in view of Murai (US 2002/0123158).

Analysis

The invention relates to the use of a ferroelectric composite being made of a colloid solution applicable to a *metal organic deposition (MOD) method* and containing water other than water of crystallization in an organometallic compound.

In the invention, a colloid solution applicable to a metal organic deposition method, which basically contains no water, is made to contain a predetermined amount of water. Thereby, it is possible to form a ferroelectric thin film having stable piezoelectric properties, with constituents of the film substantially uniformly dispersed.

The Examiner states that claim 1 of the invention of the present application is anticipated by the disclosure in Sun. The Examiner states that claim 1 of Sun discloses a composite for forming a ferroelectric thin film made of a colloidal solution applicable to the metal organic deposition method containing an organometallic compound, and that water other than water of crystallization is also described.

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However, Sun merely describes "it is the object of this invention to provide a composition capable of forming a ferroelectric thin film through the sol-gel processing or the like, as well as to provide a ferroelectric thin film formed therefrom" (paragraph [0009]), but *fails to describe the MOD method*.

Sun describes the addition of water with respect to the hydrolysis step only. (Paragraph 43). That is to say, Sun merely discloses addition of water for promotion of hydrolysis in the sol-gel processing; since hydrolysis is specific to sol-gel processing and is not present in MOD processing, there is no reason one of ordinary skill in the art would have understood this addition of a small amount of water for hydrolysis in sol-gel processing is applicable to the metal organic deposition method.

In other words, the description in Sun stating that a ferroelectric thin film is formed by a sol-gel processing which involves addition of a necessary minimum quantity of water for hydrolysis would never lead to the technical idea of the invention of the present application that a ferroelectric thin film having stable piezoelectric properties, with constituents of the film substantially uniformly dispersed, is formed by adding water to a colloid solution applicable to a metal organic deposition method, considering that a colloid solution basically contains no water.

In view of the foregoing, Sun does not teach or suggest adding water to a colloid solution applicable to the metal organic deposition method. Therefore, claim 1 is not anticipated by, nor rendered obvious by, Sun, wherein the composite is made of a colloid solution applicable to the metal organic deposition method and contains water other than water of crystallization in the organometallic compound.

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The secondary reference, Murai, does not remedy the deficiencies of Sun. Murai does not teach or suggest adding water for a metal organic deposition method.

In view of the foregoing, the cited references, whether taken alone or in combination, fail to arrive at the invention of claim 1.

Moreover, claims 4 and 5 are patentable for at least the same reasons as claim 1, by virtue of their dependency therefrom.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Ellen R. Smith/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Ellen R. Smith
Registration No. 43,042

WASHINGTON OFFICE

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